

REMARKS**I. PROSECUTION HISTORY.**

Following the disposition of a Pre Appeal Brief Review requested by Applicant, the claims were again examined by the Examiner. As a result of further examination, claims 1-6, 8-12, 14, 16-23, 25-28, 30-24, 36 and 28-44 stood rejected (non-final) under 35 U.S.C. §102(e) as being anticipated by Abrahams (US patent 6,944,773); and claims 7, 15, 29 and 37 stood rejected (non-final) under 35 U.S.C. §103(a) as being unpatentable over Abrahams in view of Price-Francis (US patent 5,815,252). Applicant responded on December 7, 2006.

In a Final office action dated 3/06/07, claims 4 and 44 stood objected to, claims 1-6, 8-12, 14, 16, 17-21, 23, 25-28, 30-34, 36 and 38-43 stood rejected to under 35 U.S.C. §102(e) as being anticipated by Lewis (US Patent 6,213,391), and claims 7, 15, 29 and 37 stood rejected under 35 U.S.C. §103(a) as being unpatentable over Lewis in view of Price-Francis (US Patent 5,815,252), and claims 22 and 44 stood rejected under 35 U.S.C. §103(a) as being unpatentable over Lewis in view of Abrahams (US Patent 6,944,773).

In response to the Final Rejection, Applicant filed a Request for Continued Examination (RCE) on July 6, 2007. Together with the RCE Applicant amended claims 1, 3, 7, 11, 22, 23 and 44, canceled claim 6, and submitted remarks in response to the rejection.

A communication dated September 19, 2007 contained non-final rejections of the claims was received. In the official communication, Claims 1-5, 8-12, 14, 16-21, 23, 25-38, 30-24, 36 and 38-43 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis (US Pat. No. 6,213,391) in view of Lin et al. (US Pat. No. 6,360,953). Claims 7, 15, 29 and 37 stood rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis in view of Lin et al. and in view of Price-Francis (US Pat. No. 5,815,252). Claims 22 and 44 stood rejected under 35 USC 103(a) as being unpatentable over Lewis in view of Lin et al., and further in view of Abrahams (US Pat. No. 6,944,773).

In a communication dated September 24, 2007, Applicant amended claims 1, 4, 7, 22, 23, 25, 26, 27, 28, 32, 36, 37 and 45. Claims 1-5, 7-12, 14-23, 25-34, 36-43 and 45 remain pending.

In a Final communication dated November 23, 2007, all claim were rejected and new matter objections were raised. Applicant amends the claims in order to place them in condition for Appeal, but respectfully requests reconsideration based on the amendment and differences with the cited prior art.

II. Argument.

As has been stated by applicant in his patent application as originally filed and throughout prosecution of his application, what is needed in the biometric field are more secure means to authenticate users and provide access to authenticated users. The claimed system and method can help facilitate expedited user authentication where biometric information is stored remotely are also needed. Prompt user identification can be facilitated with wireless features of the present invention. Wireless identification of a user by an electronic system can facilitate retrieval of user identification/profiles including biometric attributes both from portable electronic devices and from remote servers by an electronic system associated with a user-desired activity. A retrieved user's profile is then used for the electronic system to determine user authentication by comparing biometric attributes randomly requested from a user using a biometric user interface to biometric attributes associated with the user and retrieved from the remote server.

In response to the rejections and objection of record, Applicant has amended independent claims 1, 22, 23, and has added new independent claim 45. Neither Lewis, Lin et al., Price-Francis or Abrahams, suggest or hint at an electronic system that enables an electronic system associated with a user-desired activity to wireless retrieve a user profile including biometric template from a remote server based on the identification of a user provided wirelessly from a portable device (e.g., contactless credit card).

Reconsideration of Applicant's claims is respectfully requested.

III. CONCLUSION

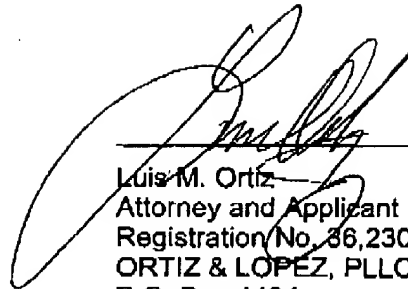
Applicant believes the latest amendments finding support in the original specification now fully overcome the rejections and request reconsideration of the remaining pending claims, 1-5, 7-12, 14-23, 25-34 and 36-44. Examiner is encouraged to contact the undersigned directly if it will expedite allowance of the application.

Respectfully submitted,

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